SAN JOSÉ/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE

CHUCK REED, CHAIR
JOSE ESTEVES, MEMBER
PAT KOLSTAD, MEMBER
JAMIE MATTHEWS, MEMBER
MADISON NGUYEN, MEMBER
CHUCK PAGE, MEMBER
JOHN GATTO, MEMBER
ED SHIKADA, MEMBER
KANSEN CHU, MEMBER

AMENDED AGENDA/TPAC

4:30 p.m. **December 12, 2013** **Room 1734**

1. **ROLL CALL**

2. **APPROVAL OF MINUTES**

   A. November 14, 2013

3. **UNFINISHED BUSINESS/REQUEST FOR DEFERRALS**

4. **DIRECTOR'S REPORT** (verbal)

   A. Directors Verbal Report
   - **Recommend rescheduling the May 8, 2014 meeting to May 15, 2014**

5. **AGREEMENTS/ACTION ITEMS**

   A. Second Amendment to Agreement with ESA and J&S Joint Venture

   Staff Recommendation: Approve the Second Amendment to the Agreement Between the City of San José and Environmental Science Associates, Inc. and Jones & Stokes Associates, Inc. doing business as ESA + J&S Joint Venture for California Environmental Quality Act support and other regulatory compliance services to amend the scope of services, and to increase the maximum compensation by $179,672, for a not to exceed amount $2,633,589 through the term of the contract ending
   June 30, 2014.

   The Second Amendment to Agreement with ESA and J&S Joint Venture is scheduled for Council consideration on December 17, 2013.

   B. Regional Wastewater Facility Staffing

   Staff Recommendation: Accept this status report on the staffing situation at the San Jose-Santa Clara Regional Wastewater Facility.

The Regional Wastewater Facility Staffing is scheduled for Council consideration on December 17, 2013.

C. South Bay Water Recycling Update on Strategic Planning Effort

Staff Recommendation: Accept the progress report highlighting activities on the South Bay Water Recycling master planning activities.

The South Bay Water Recycling Update on Strategic Planning Effort is scheduled for Council consideration on December 17, 2013.

D. First Amendment to Citywide Security Guard Services Agreements

Staff Recommendation: Adopt a resolution to authorize the City Manager to execute the First Amendment to the Citywide Security Guard Services Agreements with First Alarm Security & Patrol Services (San Jose, CA) and National Security Industries * Services (San Jose, CA), to require each vendor to pay employees paid on an hourly rate consistent with the paid time off requirement pursuant to the City's Living Wage Policy 3-3 as amended on June 4, 2013.

The First Amendment to Citywide Security Guard Services Agreements is scheduled for Council consideration on December 17, 2013.

E. Execute a Purchase Order with Jeffco Painting and Coating, Inc.

Staff Recommendation:

(a) Execute a Purchase Order with Jeffco Painting and Coating, Inc. (Vallejo, CA) for sandblasting and painting services at the San Jose-Santa Clara Regional Wastewater Facility (Wastewater Facility) for the period Decmeber 17, 2013 through December 16, 2014, with total compensation not to exceed $400,000; and

(b) Exercise four additional one-year options to renew the Purchase Order, subject to the appropriation of funds.

The First Amendment to Citywide Security Guard Services Agreements is scheduled for Council consideration on December 17, 2013.

6. OTHER BUSINESS/CORRESPONDENCE

7. STATUS OF ITEMS PREVIOUSLY RECOMMENDED FOR APPROVAL BY TPAC

A. Plant Master Plan

Recommend to the City Council adoption of the draft Plant Master Plan for the San José-Santa Clara Regional Wastewater Facility with modifications to the Land Use Component consistent with staff recommendations.

The Plant Master Plan was approved by Council on November 19, 2013.

B. Update on Financing and Alternative Project Delivery Options for Facility CIP Projects

Accept this report on Financing and Alternative Project Delivery Options for San José-Santa Clara Regional Wastewater Facility CIP Projects.

The Update on Financing and Alternative Project Delivery Options for Facility CIP Projects was approved by Council on November 19, 2013.

C. Confined Space Rescue Services

Authorize the City Manager to:

1. Execute an Open Purchase Order with Capstone Fire Management Systems, Inc. (San Diego, CA) for confined space rescue and emergency services at the San Jose-Santa Clara Regional Wastewater Facility ("Plant") for the period of November 22, 2013 through November 21, 2014, in an amount not-to-exceed $400,000.00; and

2. Exercise four additional one-year options to renew the Purchase Order, subject to the annual appropriation of funds.

The Confined Space Rescue Services report was approved by Council on November 19, 2013.

8. REPORTS

A. Open Purchase Orders Greater Than $100,000 (including Service Orders)

The attached monthly Procurement and Contract Activity Report summarizes the purchase and contracting of goods with an estimated value between $100,000 and $1.08 million and of services between $100,000 and $270,000.

B. Tributary Agencies Available Plant Capacity - 2013

9. MISCELLANEOUS

A. The next TPAC meeting is January 9, 2014, at 4:30 p.m. City Hall, City Manager's Office, 17th Floor, Room 1734.

10. OPEN FORUM

11. ADJOURNMENT

NOTE: If you have any changes or questions, please contact Jennifer Hade, Environmental Services, 408-975-2515.
To request an accommodation or alternative format for City-sponsored meetings, events or printed materials, please call Jennifer Hade at (408) 975-2515 or (408) 294-9337 (TTY) as soon as possible, but at least three business days before the meeting/event.

Availability of Public Records. All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at San Jose City Hall, 200 East Santa Clara Street, 10th Floor, Environmental Services at the same time that the public records are distributed or made available to the legislative body.

2A

MINUTES OF THE
SAN JOSE/SANTA CLARA
TREATMENT PLANT ADVISORY COMMITTEE

City Hall, City Manager's Office, 17th Floor, Room 1734
Thursday, November 14, 2013 at 4:30 p.m.

1. ROLL CALL

Minutes of the Treatment Plant Advisory Committee convened this date at 4:30 p.m. Roll call was then taken, with the following members in attendance:

Committee members: Jose Esteves, John Gatto, Pat Kolstad, Jamie Matthews, Madison Nguyen, Chuck Page, Chuck Reed, Ed Shikada

Absent: Committee members: Kansen Chu

2. APPROVAL OF MINUTES

A. October 10, 2013
Item 2.A was approved.

3. UNFINISHED BUSINESS/REQUEST FOR DEFERRALS

4. DIRECTORS REPORT

A. Directors Verbal Report:
Kerrie Romanow, Director, Environmental Services stated that the CoGeneration Facility, the financing options and the Plant Master Plan were all discussed at the TAC meeting this week.

She also noted that ESD's annual book drive is in progress. Staff will be collecting children's books from November 13 to December 11 and she encouraged contributions.

John Cannon, Principal Engineer, Public Works and Bob Reid, Technical Service Advisor to the Regional Wastewater Facility gave a presentation entitled "Cogeneration Facility Technology Update".

David Wall, Public, spoke on facility engines.

5. AGREEMENTS/ACTION ITEMS

A. Plant Master Plan EIR

Staff Recommendation: Recommend to the City Council adoption of the draft Plant Master Plan for the San José-Santa Clara Regional Wastewater Facility with modifications to the Land Use Component consistent with staff recommendations.

DRAFT

The Plant Master Plan EIR is scheduled for Council consideration on November 19, 2013

Kerrie Romanow, Director, Environmental Services gave a presentation.

Motion by Committee Member Matthews, second by Committee Member Nguyen to approve item 5.A. Item 5.A. was approved 7 to 1.
Yay – Committee Members Esteves, Kolstad, Matthews, Nguyen, Page, Reed, Shikada
Nay – Committee Member Gatto

B. Update on Financing and Alternative Project Delivery Options for Facility CIP Projects

Staff Recommendation: Accept this report on Financing and Alternative Project Delivery Options for San José-Santa Clara Regional Wastewater Facility CIP Projects.

The Update on Financing and Alternative Project Delivery Options for Facility CIP Projects is scheduled for Council consideration on November 19, 2013

Ashwini Kantak, Assistant Director, Environmental Services gave a verbal presentation.

The Committee discussed the financing options and requested that a financing plan be developed before the budget is approved

Motion by Committee Member Matthews, second by Committee Member Kolstad to approve item 5.B. Item 5.B was approved unanimously.

C. Confined Space Rescue Services

Staff Recommendation: Authorize the City Manager to:

1. Execute an Open Purchase Order with Capstone Fire Management Systems, Inc. (San Diego, CA) for confined space rescue and emergency services at the San Jose-Santa Clara Regional Wastewater Facility ("Plant") for the period of November 22, 2013 through November 21, 2014, in an amount not-to-exceed $400,000.00; and

2. Exercise four additional one-year options to renew the Purchase Order, subject to the annual appropriation of funds.

The Confined Space Rescue Services report is scheduled for Council consideration on November 19, 2013

Motion by Committee Member Matthews, second by Committee Member Gatto to approve item 5.C. Item 5.C. was approved unanimously.

6. OTHER BUSINESS/CORRESPONDENCE

7. STATUS OF ITEMS PREVIOUSLY RECOMMENDED FOR APPROVAL BY TPAC

A. Semi Annual Regional Wastewater Facility CIP Report

Staff Recommendation:

1. Accept the Semiannual Status Report on the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program for the period January through June 2013; and
2. Cross-reference this item to the October 29, 2013 Council meeting for acceptance.

The Semi Annual Regional Wastewater Facility CIP Report was approved on October 29, 2013

B. Facility Technical Training Contract

Staff Recommendation: Adoption of a resolution to authorize the City Manager to execute an agreement with CTS International Corp (CTS) for consultant services to develop technical training at the San José-Santa Clara Regional Wastewater Facility, formally referred to as the San Jose/Santa Clara Water Pollution Control Plant, from the date of execution through June 30, 2017 in an amount not to exceed $2,250,000, and to provide for up to two, one-year options to extend the term through June 30, 2019, subject to the appropriation of funds.

The Facility Technical Training Contract was approved by Council on October 22, 2013

C. Annual Insurance Renewal Process

Staff Recommendation:

(a) Adopt a resolution authorizing the City Manager to select and purchase certain City property and liability insurance policies for the period from October 1, 2013 to October 1, 2014, at a total cost not to exceed $1,500,000 for all policies, with the following insurance carriers, subject to the appropriation of funds:
    (1) Lexington Insurance Company, (Boston, MA) for Property Insurance, including Boiler & Machinery.
    (2) QBE Insurance Corporation, (New York, NY) to provide the following coverage:
        (a) Airport Owners and Operators Liability including War Risks & Extended
        Perils Coverage (Primary and Excess).
        (b) Police Aircraft Hull & Liability including War Risks & Extended Perils.

(3) St Paul/Travelers Insurance Company, (Hartford, CT) for Automobile Liability (Airport fleet vehicles including Shuttle Bus, and the San Jose-Santa Clara Regional Wastewater Facility (fleet vehicles) and Airport Shuttle Bus physical damage.
(4) Indian Harbor Insurance Company, (Stamford, CT) for Secondary Employment Law Enforcement Professional Liability.

(b) Adopt the following 2013-14 Appropriation Ordinance amendments in the Convention and Cultural Affairs Fund:
(1) Increase the Insurance Expenses appropriation to the Finance Department for Insurance Expenses by $702000; and
(2) Decrease the Ending Fund Balance by $70,000

The Annual Insurance Renewal Process was considered by Council on September 24, 2013

Items 7 A-C were approved to note and file.

8. REPORTS

A. Open Purchase Orders Greater Than $100,000

The attached monthly Procurement and Contract Activity Report summarizes the purchase and contracting of goods with an estimated value between $100,000 and $1.08 million and of services between $100,000 and $270,000.

Item 8.A was approved to note and file.

9. MISCELLANEOUS

The next TPAC meeting is December 12, 2013, at 4:30 p.m. City Hall, City Manager's Office, 17th Floor, Room 1734.

10. PUBLIC COMMENT

None

11. ADJOURNMENT

A. The Treatment Plant Advisory Committee adjourned at 5:27 p.m.

Chuck Reed, Chair
Treatment Plant Advisory Committee

5A

COUNCIL AGENDA: 12/17/13
ITEM: 2.10

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Kerrie Romanow

SUBJECT: SEE BELOW

DATE: December 6, 2013

Approved

Date 12/10/13

REPLACEMENT

SUBJECT: SECOND AMENDMENT TO THE AGREEMENT WITH ESA + J&S JOINT VENTURE FOR ENVIRONMENTAL AND REGULATORY COMPLIANCE SUPPORT SERVICES

REASON FOR REPLACEMENT

The reason for this replacement memorandum is to make a correction to the total agreement amount, which was incorrectly stated as $2,633,643 and has been changed to the corrected agreement amount of $2,633,589.

RECOMMENDATION

Approve the Second Amendment to the agreement between the City of San José and Environmental Science Associates, Inc. and Jones & Stokes Associates, Inc. doing business as ESA + J&S Joint Venture for California Environmental Quality Act (CEQA) support and other regulatory compliance services to amend the scope of services, and to increase the maximum compensation by $179,672, for a not to exceed amount $2,633,589 through the term of the contract ending June 30, 2014.

OUTCOME

The proposed Second Amendment to the Agreement would address the increased workload for additional CEQA and other permitting work and the completion of the expanded scope approved in the First Amendment to the Agreement on October 16, 2012. The Second Amendment will provide for the completion of essential documentation for the Plant Master Plan (PMP) Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA), and related technical studies and environmental permits for implementation of individual PMP projects.

BACKGROUND

Beginning in late 2007, the City embarked on a three year process to develop a Plant Master Plan that would ensure the San José/Santa Clara Regional Wastewater Facility's (RWF) continued role in protecting public health and the environment, while supporting the region's economy and creating a new vision for San José. The Plant Master Plan addresses both the technical wastewater operations of the RWF and the land uses on the 2,600 acres of bufferlands. On September 14, 2010, the City Council approved an agreement with Environmental Science Associates, Inc. and Jones & Stokes Associates, Inc., doing business as ESA + J&S Joint Venture, for the first phase of environmental documentation services related to the Plant Master Plan.

On April 19, 2011, the City Council provided direction to proceed with the preparation of the Environmental Impact Report (EIR) for the Plant Master Plan Preferred Alternative. The City exercised its option with ESA + J&S Joint Venture for support in preparing the EIR. The agreement with ESA + J&S Joint Venture was extended through December 31, 2013, with a compensation increase to $2,000,000, and amendment to the scope of services and schedule of performance. The First Amendment to the Agreement, approved by City Council on October 16, 2012, increased the compensation by $453,917 to a maximum amount of $2,453,917. The proposed Second Amendment increase of $179,672 would pay for the cost of the completion of the additional scope of services, expanded scope in the current agreement due to the modifications of the project description that have required additional revisions to or analyses for the EIR, and assistance with securing permits from other regulatory agencies for Plant Master Plan projects prior to implementation, and raise the maximum amount to $2,633,589.

The Planning Commission's certification of the Plant Master Plan EIR was upheld by the City Council on November 19, 2013. Prior to project implementation, detailed project level CEQA analysis will still be necessary to supplement the program-level analysis in the EIR.

The RWF requires CEQA analysis to begin work on critical infrastructure projects. One example is the critical electricity-generating infrastructure at the RWF that is aging and going out of service more rapidly than anticipated. Without onsite infrastructure, the RWF is vulnerable to the loss of electrical operating power in the event that PG&E supplied power is interrupted.

ANALYSIS

The efforts required during the final processing of the draft EIR exceeded the effort levels projected at the time of the previous amendment in October 2012. This is due to the overwhelming number of public responses to the EIR. A total of 43 comment letters, which included well over 300 comments, were received from US and State Resource Agencies, non-profit and environmental organizations, the Tributary Agencies, neighboring cities, private property owners, and other interested individuals. The 776-page First Amendment document created in response to these comments required a significant legal review effort, and additional responses from ESA, the CEQA consultant, and many technical experts.

Furthermore, staff received seven comment letters after the release and prior to the certification of the Final EIR, one letter and one page of photographs during the October 30, 2013 Planning Commission certification hearing, three letters after the Final EIR was certified by the Planning Commission on October 30, 2013, and a Notice of Appeal filed on November 4, 2013. Responses provided to these comments were the main content of the 91-page supplemental memo transmitted to the City Council prior to the EIR certification, and represent another substantial amount of unanticipated workload.

As a result of the extreme complexity of the Draft EIR, and the unanticipated effort levels required to analyze it, the funds budgeted in the contract for the EIR-related tasks exceeded the approved funds according to the current contract.

ESA + J&S Joint Venture has developed significant familiarity with the Wastewater Facility project and the Plant Master Plan EIR, and has available staffing capacity for continuing to assist in the proposed stand-alone CEQA work on the co-generation facility and some preliminary work needed for permitting of the Biosolids facility under the Plant Master Plan. These tasks will be completed during the current contract period.

EVALUATION AND FOLLOW UP

The proposed amendment will allow staff to expedite responses to critical infrastructure issues at the Plant, and improve implementation of other Plant Master Plan projects.

PUBLIC OUTREACH/INTEREST

- ☐ Criterion 1: Requires Council action on the use of public funds equal to $1,000,000 or greater. **(Required: Website Posting)**
- ☐ Criterion 2: Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- ☐ Criterion 3: Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Since this recommendation has no direct or indirect impact on the community at large, no public outreach was performed. This recommendation only seeks to add funding to an existing consultant agreement to accommodate additional tasks that will expedite the City's response to critical infrastructure issues at the Wastewater Facility, and the preparation of Plant Master Plan projects.

COORDINATION

This memo was coordinated with the Department of Planning, Building & Code Enforcement, the City Manager's Budget Office, and the City Attorney's Office.

The proposed Second Amendment to the Agreement with ESA+J&S Joint Venture will be agendized on December 12, 2013, for consideration and recommendation by the Treatment Plant Advisory Committee (TPAC).

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: $179,672

2. COST ELEMENTS OF AGREEMENT:
   Professional Services Previous Executed $2,453,917
   TOTAL AGREEMENT AMOUNT (Not to Exceed) $2,633,589

3. SOURCE OF FUNDING: 512 – San Jose/Santa Clara Treatment Plant Capital Fund

4. FISCAL IMPACT: The consultant contract has been reviewed and was determined that it will have no significant adverse impact on the General Fund operating budget.

BUDGET REFERENCE

Total Current Funding Available						
Fund #	Appn. #	Appn. Name	Total Appn	Amt. for Contract	2013-2014 Adopted Capital Budget	Last Budget Action (Date, Ord. No.)
512	4120	Plant Master Plan	$284,000	$179,672	V-112	10/08/2013 Ord. 29320
Total Funding Available				$179,672		

CEQA

Not a Project, File No. PP10-066(a), Agreements and Contracts for purchase of professional services.

/s/
KERRIE ROMANOW
Director, Environmental Services Department

For questions please contact René Eyerly, Manager, Sustainability & Compliance Division, ESD at 408-975-2594.

5B

T&E AGENDA: 12-2-13
ITEM: d(1)

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: TRANSPORTATION AND ENVIRONMENT COMMITTEE

FROM: Kerrie Romanow

SUBJECT: SEE BELOW

DATE: 11-15-13

Approved

Date 11/20/13

SUBJECT: SAN JOSÉ-SANTA CLARA REGIONAL WASTEWATER FACILITY STAFFING STATUS REPORT

RECOMMENDATION

Accept this status report on the staffing situation at the San José-Santa Clara Regional Wastewater Facility (Wastewater Facility). .

OUTCOME

Acceptance of the report will update the Committee on the state of the Wastewater Facility staffing.

BACKGROUND

On August 28, 2012, the City Auditor issued an audit report entitled "Environmental Services: A Department at a Critical Juncture" and found that "the Plant has experienced significant workforce losses in operations and maintenance." Employee separations, including retirements and resignations, have resulted in falling experience levels and increasing overtime hours. Since that time, periodic Wastewater Facility (legally and officially named the San José/Santa Clara Water Pollution Control Plant) staffing status reports have been provided to the Transportation and Environment Committee.

On June 3, 2013, a Wastewater Facility staffing status report was presented to the Transportation and Environment Committee that reported a 23 percent vacancy rate in the combined five critical classifications: Wastewater Operators, Wastewater Mechanics, Industrial Electricians, Instrument Control Technicians and Wastewater Mechanics/Heavy Diesel Equipment Operator/Mechanics.

ANALYSIS

The staffing challenges at the Wastewater Facility require a comprehensive plan that not only addresses retention and recruitment but also provides a way to quickly integrate new and newly promoted employees. The Environmental Services Department, Human Resources (HR) and the Office of Employee Relations continue to collaborate on this comprehensive plan through a combination of strategies including:

- Recruitment and retention strategies
- Classification studies for certain critical classifications with associated compensation changes, if appropriate;
- Robust training program development to support existing staff and quickly integrate new staff;
- Utilization of temporary staffing contracts and temporary staff from the OE3 and IBEW Union Halls; and
- New staffing models that enable more efficient succession planning.

An update on the progress made for each of these strategies is provided below:

1. **Recruitment and Retention**
   a. **Recruitment Outreach**: On August 28, 2013, ESD hosted a Wastewater Career Exploration Fair. Over 120 attendees met the Wastewater Facility team to find out how to apply and prepare for a wastewater job. Work2Future, San Jose City College, and Tri-Valley Regional Occupations Program shared information about local training and education programs. Another Wastewater Career Exploration Day is planned for spring 2014. On October 16, 2013, ESD Workforce Planning staff represented ESD and the City at the Work2Future Job Fair. During the 3-hour event, ESD staff distributed 135 postcards with instructions on how to register in City Jobs, along with various materials about working in trade jobs at the Wastewater Facility.

   ESD and the Office of Economic Development have partnered to place a Green Cadre intern at the Wastewater Facility. In addition, ESD recently recruited for three student interns who are in the process of completing their educational requirements and work experience hours toward the 2080 hours required by the State Water Resources Control Board for a certificate of competence and achievement of a Grade 1 Wastewater Operator Certificate. An objective for the use of student interns is to broaden the candidate pool of entry level Wastewater Operators and Wastewater Attendants and to expose potential candidates to the great work environment at our facility.

   b. **Additional Recruitment Resources**: HR completed a procurement effort to secure third party recruiting resources. ESD leveraged these resources to fill the Wastewater Operations Division Manager, October 15, 2013. Recruitments to hire a CIP Principal Engineer, the Facility's Safety Officer and Senior Electrical Engineer are currently in process.
   ESD employees trained in recruitment are supplementing the efforts of HR matrix recruiters to increase the number of recruitments. ESD-Employee Services/Workforce Planning analysts either conduct recruitments with HR oversight, or assist HR and hiring managers in all stages of the recruitment process. This

collaborative effort will result in more quickly filling vacant positions at the Wastewater Facility (as well as other sections within ESD).

2. **Classification Work:** PLS Consulting, Inc was hired in February to conduct a classification and market study for several mission critical classifications. In Phase I, PLS analyzed Plant Operator, Plant Mechanic, and Heavy Diesel Equipment Operator Mechanics (HDEOM) classification series. Classification and compensation recommendations were presented to and approved by Council in August 2013. In Phase II, a review of the Instrumentation, Process Control and Residual Solids Management classifications began in May 2013 and is expected to be completed by spring 2014.

3. **Training Program**: In October 2013, the Treatment Plant Advisory Committee recommended and Council approved a three-year agreement with Competency Training Systems International (CTS). CTS will develop and implement a competency based training system that consistently advances the competence of Facility employees, and accelerates integration of new and temporary staff to ensure continued and smooth operation of the Wastewater Facility.

   ESD met with staff from Evergreen Community College to explore a partnership to provide onsite training. This is a first step in providing college-credit, vocational training at the Wastewater Facility, first to our staff, and potentially to become a regional training facility.

4. **Temporary Staffing Contracts**: A master agreement with HKA Enterprises, Inc. to provide temporary staffing resources for Plant Mechanics and Plant Operators was approved by City Council on March 5, 2013. The temporary Operators and Mechanics will help bridge the staffing gap in these classifications until permanent employees are hired. A one-year extension of an agreement with Telstar, Inc. to provide temporary Instrumentation Technicians was renewed by Council in August 2013. In August 2013, temporary Heavy Duty Mechanics/Operators were procured through the OE3 Union Hall to assist with biosolids processing and power and air generation equipment maintenance until vacant positions can be filled.

5. **Staffing Model**: The 2013-14 Adopted Operating Budget action added 7.0 Wastewater Attendant positions and eliminated 4.0 vacant journey-level Wastewater Mechanic positions and a Maintenance Worker I position in order to: 1) create additional points of entry into the trades job series; and 2) help obtain a qualified candidate pool for existing Wastewater Operator Trainee, Apprentice Wastewater Mechanic, Industrial Electrician, Instrument Control Technician and Heavy Equipment Operator positions. Wastewater Attendants (formerly Plant Attendants) will assist journey level positions by performing the entry level tasks while learning various job functions as they rotate and cross-train through the Wastewater Facility work groups. This creates more opportunity to "grow our own" and develop staff to promote into the various journey level positions throughout the Facility. Recruitments for the new Wastewater Attendant positions is currently underway.

   Beginning fiscal year 2013-14, ESD Administrative Services added two positions, a Division Manager and a Workforce Planning Manager; and broadened the ESD Employee Services section to include Workforce Planning and Knowledge Management. This new combined section is focused on carrying out the workforce initiatives discussed above.

Status Update on Recruitment, Vacancies and Overtime Usage

The five job classes that were addressed in the 2012 City Auditor's report are: Wastewater Operators, Wastewater Mechanics, Industrial Electricians, Instrument Control Technicians, and Wastewater Mechanics/Heavy Diesel Equipment Operator/Mechanics within the Facility's Operations and Maintenance (O&M) division. The combined vacancy rate of the five work sections was 20% in June 2012, 25% in December 2012 and March 2013, 23% in June 2013, and is currently 25%. The following table shows the number of full time equivalent (FTE) positions authorized in each work section and the current number of vacancies in each group. For comparison to the last report (which used data as of 4/13/13), numbers from the previous report are show in parenthesis.

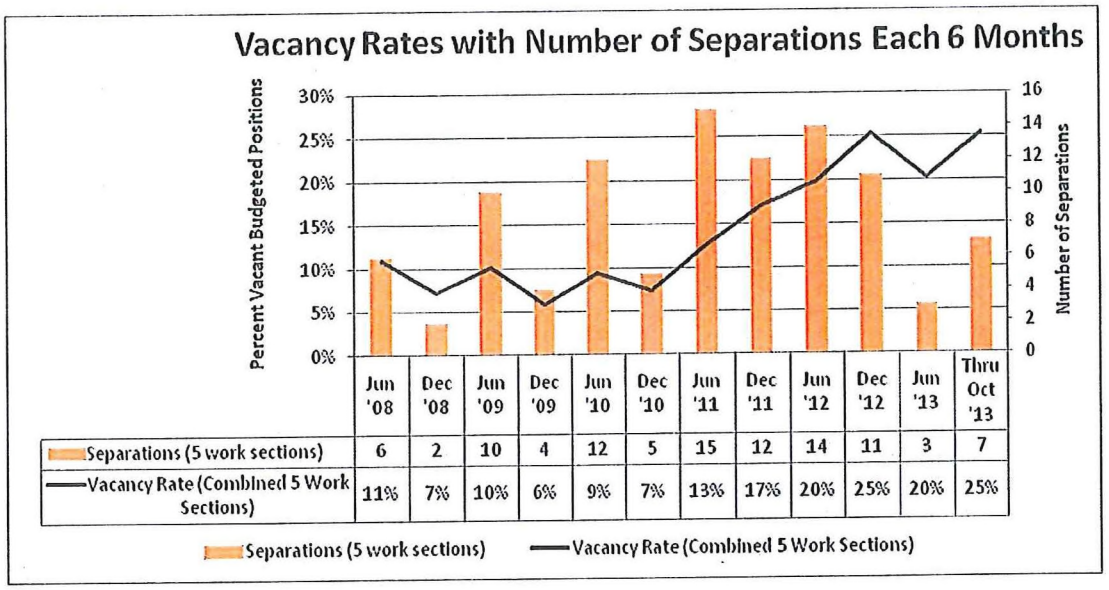
Work Section	Authorized FTEs (last report 4/13/13)	Current Vacancies (last report 4/13/13)	Current Vacancy Rate 10/26/13
Wastewater Operators	60 (60)	13 (11)	22%
Wastewater Mechanics[1]	36 (40)	10 (12)	28%
Wastewater Mechanics/Heavy Diesel Equipment Operator/Mechanics[2]	20 (20)	5 (2)	25%
Instrumentation	11 (11)	3 (3)	27%
Industrial Electricians	11 (11)	4 (4)	36%
Combined work sections[1]	138 (142)	35 (32)	25%

[1]A 2013-14 budget action eliminated 4.0 vacant journey-level Wastewater Mechanic positions (and added 7.0 Wastewater Attendant positions).

[2]The Heavy Diesel Equipment Operator/Mechanic series was consolidated into the Wastewater Mechanic job classification series in September 2013.

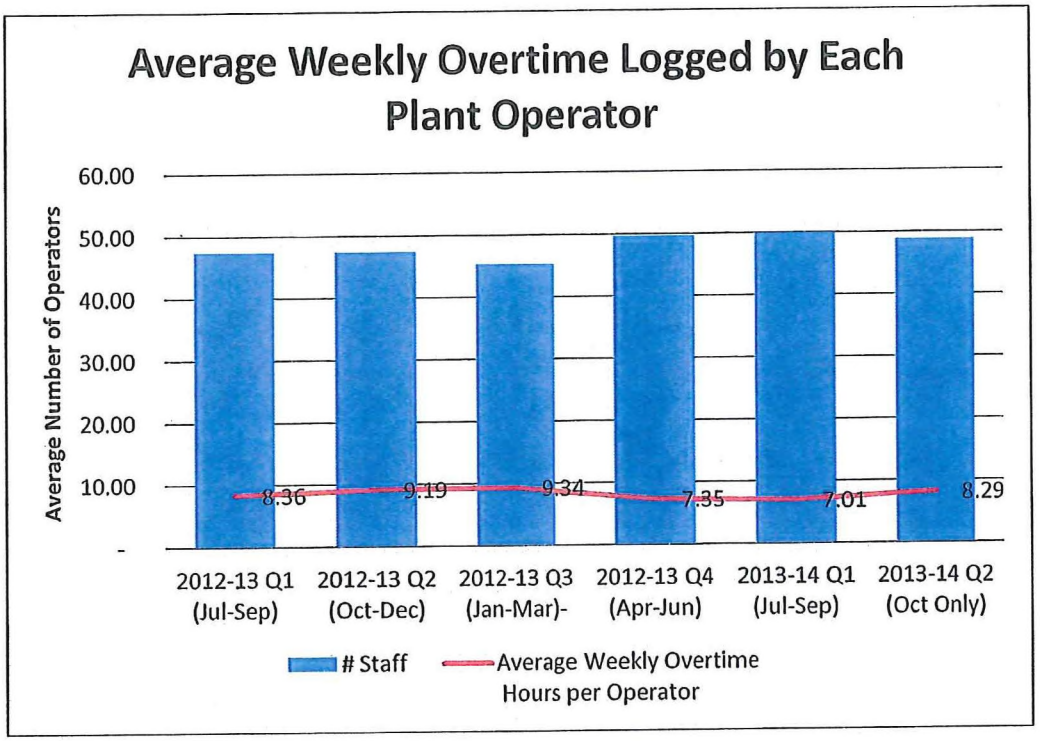
Since the June report one new hire was made, offset by eight employee separations (retirements, resignations, and involuntary separations) in these work sections. Recruitments to fill entry level Wastewater Operator and Wastewater Mechanic positions are in process. A recruitment to fill seven (7) vacant Sr. Plant Operator positions was postponed pending the Operations series classification study. A recruitment to fill these positions, which are now Wastewater Operations Forepersons positions, is scheduled for January 2014.

The following chart illustrates the vacancy rate at a point during each six month period, and the number of separations during the corresponding six months. Currently there is a slight increase in the combined vacancy rate for the five tracked job classifications, moving from 23% at the last report (April 2013 data) to 25% at this report using October 2013 data.



	Jun '08	Dec '08	Jun '09	Dec '09	Jun '10	Dec '10	Jun '11	Dec '11	Jun '12	Dec '12	Jun '13	Thru Oct '13
Separations (5 work sections)	6	2	10	4	12	5	15	12	14	11	3	7
Vacancy Rate (Combined 5 Work Sections)	11%	7%	10%	6%	9%	7%	13%	17%	20%	25%	20%	25%

The use of overtime by Operators has trended down slightly over the spring and summer quarters (April through September). Overtime is also currently being used to cross train Operators in a new process treatment area other than those treatment areas they already know. This cross-training will make more Operators competent to cover in multiple process areas.



EVALUATION AND FOLLOW-UP

Staff will continue to work with Human Resources, Office of Employee Relations and the City Manager's Office to identify and pursue ways to retain and recruit critical wastewater facility staff.

PUBLIC OUTREACH

- ☐ Criterion 1: Requires Council action on the use of public funds equal to $1 million or greater. **(Required: Website Posting)**
- ☐ Criterion 2: Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- ☐ Criterion 3: Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This report does not meet the criteria above.

COORDINATION

This report has been coordinated with the Office of Employee Relations and the Department of Human Resources.

CEQA

Not a Project, File No. PP10-069 (a) Staff Reports.

/s/
KERRIE ROMANOW
Director, Environmental Services

For question please contact Kerrie Romanow, Director, Environmental Services Department, at (408) 535-8552.

5C

T&E AGENDA: 12-02-13
ITEM: d(2)

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: TRANSPORTATION & ENVIRONMENT COMMITTEE

FROM: Kerrie Romanow

SUBJECT: **SOUTH BAY WATER RECYCLING PLANNING UPDATE – December 2013**

DATE: 11-5-13

Approved

Date 11/22/13

RECOMMENDATION

Accept this progress report highlighting activities on the South Bay Water Recycling (SBWR) master planning activities.

OUTCOME

Acceptance of this report will allow staff to continue on course with the planned SBWR master planning activities.

BACKGROUND

The SBWR system has been in operation since 1997. This SBWR Master Plan will help guide the next decade or more of recycled water service in Silicon Valley. The SBWR Master Plan Task Advisory Steering Committee (TASC) is comprised of the City and the Santa Clara Valley Water District (SCVWD), and members representing elected officials from the Treatment Plant Advisory Committee (the City of Santa Clara and a West Valley Sanitation District representative). This committee has been meeting over the past year to develop mid- and long-term strategies that will be most beneficial to the greater south bay region. The SBWR Master Plan is anticipated to be completed in 2014.

On September 13, 2011, Council authorized the City Manager to negotiate and execute an agreement with the United States Bureau of Reclamation (Reclamation) allowing the City to receive up to $1,200,000 towards the reimbursement of a $2,400,000 feasibility study to develop a strategic and master plan for SBWR. The grant agreement was subsequently executed on September 30, 2011.

On June 19, 2012, Council authorized the City Manager to negotiate and execute a cost sharing agreement with the SCVWD to share the cost of developing a master plan for the SBWR Program, estimated to cost up to $2,400,000. The Agreement provided for each party to

contribute up to $1,200,000, while sharing in reimbursements from the Reclamation grant up to $600,000 each.

In August of 2012, the City Auditor recommended that the City (ESD) "explore opportunities to increase revenues or reduce costs to achieve full cost recovery of South Bay Water Recycling operations and minimize the cost to sanitary sewer ratepayers" (Environmental Services Audit, August 8, 2012, Recommendation #18). The SBWR Master Plan will provide several operational recommendations, including a future rate plan based upon full cost recovery to reduce wastewater rate payer costs.

ANALYSIS

Since the South Bay Water Recycling master planning activity began in September 2012, the following activities have taken place:

SBWR Visioning Report

Recognizing the importance of articulating a collective vision for the future of SBWR, the first planning activity focused on refining the collective vision for the master plan, incorporating the agency perspectives from the San Jose/Santa Clara Regional Wastewater Facility (RWF) and the SCVWD. This visioning process built upon work previously completed and serves as the foundation for development of the institutional and technical components necessary to complete the planning process. The visioning was conducted through three workshops held between October 2012 and February 2013. The information and discussions from these workshops were summarized and analyzed for areas of agreement and divergence between wastewater diversion and water supply interests. The final Visioning Report summarizes the work completed and the decisions that were made through the visioning process, and documents the agreed upon framework that will define the steps and tasks in the planning process.

Influent Flow Projection Update

In order to estimate future recycled water volumes, an updated wastewater influent flows projection at the San Jose/Santa Clara Regional Wastewater Facility (RWF) was determined through 2035 to coincide with the recycled water planning horizon. These updated flow projections will be incorporated into the SBWR Master Plan in the following ways:

- Determine when/if increased wastewater diversion would be needed in response to the effluent flow triggers currently included in the RWF NPDES discharge permit;
- Provide an indication of the maximum amount of wastewater available for recycling purposes through 2035; and
- Provide input to the flow balance calculations that will occur during development and evaluation of capital projects alternatives.

Since it is not possible to predict which of the various population estimates utilized will prove to be more correct, a range of wastewater influent flow projections was developed to better capture possible flow variations over such a long planning horizon.

SBWR Valuation Assessment

A valuation assessment of the existing SBWR assets was conducted to provide management with cost information that will lay a foundation for making future strategic investment decisions for the system. The valuation methodology was based on an accounting approach, using the City's accounting records that included the original cost of the system assets, less accumulated depreciation. Futhermore, additional cost considerations were evaluated depending on the final disposition of the SBWR system. These scenarios included incorporating the current outstanding debt, current system replacement costs based on the Engineering New Record Construction Index (ENR CCI) for the City of San Francisco, and investments in renewals and replacements needed to address system deficiencies.

This assessment has resulted in a range of valuations and opportunities to be considered for the future SBWR Master Planning effort.

Brine Discharge Impacts on Compliance with NPDES Permit Effluent Limits

An assessment is being prepared on the impacts of concentrated waste (brine) discharged from the Silicon Valley Advanced Water Purification Center (SVAWPC) to the RWF outfall and our ability to meet National Pollutant Discharge Elimination System (NPDES) permit requirements. Brine, the reverse osmosis concentrated waste that results from this standard water treatment process, is blended with RWF effluent before final discharge to the Bay.

When the SVAWPC begins normal operations, the District will initiate a chronic toxicity testing program to estimate toxicity impacts from various percentages of brine in RWF effluent. Chronic toxicity tests measure the sub-lethal effects of a discharge (e.g. reduced growth or reproduction). Certain chronic toxicity tests include an additional measurement of lethality.

For this analysis a mass balance model was developed to estimate final effluent concentrations for conventional, non-conventional, and toxic constituents using varying brine percentages in final effluent. Two types of compliance issues were analyzed to determine brine impacts on NPDES permit compliance: (1) exceeding an existing effluent limitation and (2) triggering a new effluent limitation. The modeling indicated that the RWF will not have significant compliance issues with its NPDES permit if staff closely monitors final effluent concentrations for ammonia and cyanide. Failure to meet NPDES requirements can result in significant fines and associated costs to achieve compliance.

Non-Potable Reuse Market Assessment

This market assessment focused specifically on Non-Potable Reuse (NPR) opportunities for recycled water, and along with the potable reuse market assessment, will provide the basis for identifying pathways to achieve the recycled water targets established in the visioning phase of the master planning effort. This assessment documented the minimum recycled water production necessary to reliably serve the existing customer base now and caused by expected new customers. The assessment documents existing recycled water use, additional NPR uses that water retailers within the RWF service area expect to add by 2015 and potential NPR markets that could be added in the future. The potential future NPR demand includes markets identified by the water retailers, cooling tower and other industrial uses identified by SBWR, and recycled water demand that could be served along extensions of the SBWR system proposed as part of the potable reuse assessment.

SBWR Production and Distribution Systems Reliability Assessment

This reliability assessment describes the SBWR system facilities and operations, from production to the customer point of service. The assessment investigated existing SBWR production and distribution system components regarding reliability of service to maintain recycled water demand through 2020. Production and system delivery reliability projects are being identified and prioritized (vulnerability risk, capital cost, and timing) to address critical system vulnerabilities that would maintain the same levels of service and enhance ongoing SBWR system operations and maintenance. Project implementation plans, including cost estimates, will be developed in the capital projects development task of the master plan.

Next Steps
Building on the above activities, the next steps in the SBWR Master Plan process include:

- Maintain Existing Levels of Service Reliability - Determine near-term SBWR production and system reliability improvements necessary to maintain historic levels of service based on current industrial and irrigation customers.

- SBWR Cost Recovery Strategy – A cost recovery strategy will be developed to move SBWR to full cost recovery.

- Potable Reuse Market Assessment – An assessment of potable reuse opportunities, where recycled water would be used to augment the region's raw water supply through either groundwater replenishment or directly into the District's raw water infrastructure. This technical market assessment will identify both long term potable reuse pathways that can achieve the recycled water use targets established in the Visioning Report, and near-term potable reuse demonstration projects that build on the operation of the SVAWPC and demonstrate that potable reuse has a role in meeting the region's future water supply needs.

- RO Concentrate (Brine) Management Assessment – The standard treatment practice for water purification for potable reuse includes reverse osmosis (RO), a process that results in a concentrate (brine) waste that is currently blended with RWF effluent before final discharge to the Bay. Due to potential NPDES permit implications, especially toxicity, alternative concentrate management options are being considered. These options will be partnered with alternative potable reuse pathways and further evaluated in the potable reuse capital projects development task of the master plan.

- Capital Projects Development – Based on the technical assessments described above, alternative capital projects related to recycled water production and delivery will be developed and evaluated. These alternative projects will be structured to achieve the Visioning Report goals.

EVALUATION AND FOLLOW UP

Staff will return to the T&E Committee in the spring of 2014 to present a status update on the South Bay Water Recycling master planning effort.

PUBLIC OUTREACH/INTEREST

☐ **Criteria 1:** Requires Council action on the use of public funds equal to $1,000,000 or greater.

☐ **Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City.

☐ **Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach.

This recommendation does not meet any of the criteria listed above. If the Committee recommends consideration of this report by the full Council, it will be posted on the City's Internet website for the December 17, 2013 Council Agenda.

COORDINATION

This report has been coordinated with the City Attorney's Office and is scheduled to be reported at the December 2013 Treatment Plant Advisory Committee meeting.

FISCAL/POLICY ALIGNMENT

FISCAL/POLICY ALIGNMENT

This item is consistent with Council approved Budget Strategy Memo General Principle #2, "We must focus on protecting our vital core City services."

CEQA

Not a Project, File No.PP10-069 (a), Informational Memos that involve no approvals of any City actions.

/s/

KERRIE ROMANOW
Director, Environmental Services

For questions, please contact Kerrie Romanow, Environmental Services Director, at 408-535-8552.

5D

COUNCIL AGENDA: 12-17-13
ITEM:

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Julia H. Cooper

SUBJECT: SEE BELOW

DATE: November 25, 2013

Approved

Date 12/4/13

SUBJECT: FIRST AMENDMENT TO CITYWIDE SECURITY GUARD SERVICES AGREEMENTS

RECOMMENDATION

Adopt a resolution to authorize the City Manager to execute the First Amendment to the Citywide Security Guard Services Agreements with First Alarm Security & Patrol Services (San José, CA) and National Security Industries & Services (San José, CA), to require each vendor to pay employees paid on an hourly rate consistent with the paid time off requirement pursuant to the City's Living Wage Policy 3-3 as amended on June 4, 2013.

OUTCOME

Require twelve days of paid time off for full time employees and six days of paid time off for part time employees consistent with the City's Living Wage Policy 3-3 as amended on June 4, 2013.

BACKGROUND

On March 26, 2013, the City Council approved Agreements for Citywide Security Services with First Alarm Security and Patrol and National Security Industries. Council approved these agreements on the condition that they would be amended to include mandatory paid time off (PTO) for all employees subject to the City's Living Wage.

On June 4, 2013, the City Council adopted Resolution No. 76653 revising the City's Living Wage Policy to require contractors to provide twelve PTO days for full time employees, and six PTO days for part time employees on all living wage contracts.

ANALYSIS

Although the RFP for Security Guard Services was issued prior to Council's approval to amend the Living Wage Policy, the RFP required that bidders provide optional pricing for each day that PTO may be required in the future. Staff has notified both vendors that twelve or six PTO days will be required, and the agreements will be amended to reflect this change. Both vendors are agreeable to the change pursuant to their option pricing that was submitted in their respective proposals. In anticipation that Council would amend the Living Wage Policy to include PTO, Staff estimated a maximum compensation in the original Agreement inclusive of PTO. The First Amendment will memorialize the increase in hourly rates. The annual cost to include the additional days off is $101,658, which is equivalent to a 4 percent average increase over the current hourly rates.

EVALUATION AND FOLLOW-UP

This memorandum will not require any follow-up from staff.

PUBLIC OUTREACH/INTEREST

☐ **Criterion 1**: Requires Council action on the use of public funds equal to $1,000,000 or greater. **(Required: Website Posting)**

☐ **Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**

☐ **Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, this memorandum will be posted on the City's website for the December 17, 2013, City Council agenda.

COORDINATION

This memorandum was coordinated with the Departments of Public Works, Aviation, Environmental Services, Parks Recreation & Neighborhood Services, Transportation, Office of Economic Development/Work2Future, City Manager's Budget Office, and City Attorney's Office.

This item will be scheduled for approval by the Treatment Plant Advisory Committee (TPAC) on December 12, 2013.

COST SUMMARY/IMPLICATIONS

Notwithstanding the approximate $101,658 in additional compensation as a result of this amendment, no additional funding is necessary. These additional costs were assumed in the approved annual maximum compensation for the first year of services ($3,200,000) for which funding has already been identified as outlined in the memorandum approved by the City Council on March 26, 2013.

CEQA

Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment.

/s/
JULIA H. COOPER
Director of Finance

For questions please contact Mark Giovannetti, Purchasing Division Manager at (408) 535-7052

5E

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

COUNCIL AGENDA: 12/17/13
ITEM:

CITY COUNCIL ACTION REQUEST

Department(s): Finance	CEQA: Not a Project, File No. PP10-066(a), Agreements and Contracts	Coordination: ESD, CAO, CMO - Budget Office On December 12, 2013 the Treatment Plant Advisory Committee is scheduled to consider this item.	Dept. Approval: /s/ Julia H. Cooper
Council District(s): Citywide			CMO Approval: 12/2/13

SUBJECT: EXECUTE A PURCHASE ORDER WITH JEFFCO PAINTING AND COATING, INC.

RECOMMENDATION:

Authorize the City Manager to:

(a) Execute a Purchase Order with Jeffco Painting and Coating, Inc. (Vallejo, CA) for sandblasting and painting services at the San José-Santa Clara Regional Wastewater Facility (Wastewater Facility) for the period December 17, 2013 through December 16, 2014, with total compensation not to exceed $400,000; and

(b) Exercise four additional one-year options to renew the Purchase Order, subject to the appropriation of funds.

Desired Outcome: To complete scheduled sandblasting and painting projects at the Plant in accordance with their maintenance plan.

BASIS FOR RECOMMENDATION:

Sandblasting and painting services are required for general maintenance painting at the Plant. Work may include but is not limited to preparation for painting of existing motors, pumps, piping, tanks, interior and exterior of buildings, and secondary containment structures.

A competitive Request for Bid (RFB) for this service was issued on September 12, 2013. Five bids were received by the October 10, 2013 due date. Jeffco submitted the lowest bid.

No protests were received during the protest period which ended on October 25, 2013.

Office of Equality Assurance: Living Wage or Prevailing Wage, whichever is higher, is applicable to work under this purchase order.

This Council item is consistent with Council approved Budget Strategy General Principle #2: "We must focus on protecting our vital core City services."

COST AND FUNDING SOURCE:

Fund #	Appn #	Appn. Name	Total Appn.	Amt. for Recommendation	2013-2014 Adopted Operating(Pg)	Last Budget Action (Date, Ord. No)
513	0762	NP/Equip	$28,567,518	$400,000	XI- 85	6/18/2013, 29271

FOR QUESTIONS CONTACT: Mark Giovannetti, Purchasing Division Manager at 408-535-7052

City Manager's Contract Approval Summary

For Procurement and Contract Activity between $100,000 and $1.08 Million for Goods and $100,000 and $270,000 for Services

NOVEMBER 1 - NOVEMBER 30, 2013

Description of Contract Activity [1]	Fiscal Year	Req#/ RFP#	PO#	Vendor/Consultant	Original $ Amount	Start Date	End Date	Additional $ Amount	Total $ Amount	Comments
NEW:										
FACILITY TRAINING PROGRAM DEVELOPMENT	FY13-14		AC25736	CTS INTERNATIONAL CORP	$190,400	10/22/13	4/15/14			SERVICE ORDER #1 (MASTER AGREEMENT TERM 10/22/13-6/30/17; WITH 2 ONE-YR OPT TO EXTEND TO 6/30/19)
ONGOING:										
CONFINED SPACE RESCUE TEAM	FY13-14	18067	49385	CAPSTONE FIRE MANAGEMENT INC	$400,000	11/26/13	11/25/14			
SANDBLASTING & PAINTING	FY13-14	18108			$400,000					
WEMCO MODEL C 8"X8 " PUMP S/N 8396858-9	FY13-14	18242	77321	JM SQUARED ASSOCIATES INC	$117,828					
COMPRESSED GASSES AND WELDING EQUIPMENT SERVICES & SUNDRIES	FY13-14	18297			$100,000	12/1/13	11/30/14			LABORATORY (40K) & MAINTENANCE (60K)
SERVICEGRID MAINTENANCE & SUPPORT SERVICES	FY13-14	18375	49389	ABB INC	$206,706	12/1/13	11/30/14			

[1] This report captures in process contract activity (Requisition Number or RFP Number) and completed contract activity (Purchase Order Number, Contract Term, and Contract Amount)

8A

8B

CITY OF
SAN JOSE
CAPITAL OF SILICON VALLEY

Environmental Services Department
SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT

November 6, 2013

TO: Treatment Plant Advisory Committee

SJ: Tributary Agencies Available Plant Capacity - 2013

The Master Agreements require that the Treatment Plant Advisory Committee file annually with the legislative bodies of San Jose, Santa Clara and member agencies a report on plant capacity. The attached report, Tributary Agencies Available Plant Capacity - 2013, has been prepared to satisfy this requirement and to identify each agency's 2013 plant capacity as well as available (unused) capacity.

It is recommended that the Treatment Plant Advisory Committee approve the attached report.

Sincerely,

Kerrie Romanow
Director
Environmental Services Department

Attachment

200 East Santa Clara Street, 10th Floor, San José, CA 95113-1905 *tel* (408) 535-8550 *fax* (408) 292-6211

CITY OF SAN JOSE
ENVIRONMENTAL SERVICES DEPARTMENT

SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT

TRIBUTARY AGENCIES' AVAILABLE PLANT CAPACITY - 2013

November 2013

CITY OF SAN JOSE
ENVIRONMENTAL SERVICES DEPARTMENT
SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT

TRIBUTARY AGENCIES' AVAILABLE PLANT CAPACITY - 2013

This analysis was prepared to comply with the terms of the Master Agreements which require that the operational capacity and productive use of the treatment plant be determined annually. Tables I through IV contain the Plant Capacity, the 2013 Peak Week (5-day average) Flow, and the Remaining Available Capacity for the entire plant and for each individual member for 2013.

2013 PLANT CAPACITY

The nominal capacity of the treatment plant during the 2013 peak week is 167 MGD. The agencies' capacity rights in the 167 MGD plant are shown on Tables I through IV and were determined in accordance with the provisions of the Master Agreements.

2013 PEAK WEEK FLOW

The 2013 peak dry weather flow of 110.24 MGD occurred during the week of September 16 - 20. Tables I through IV contain the agencies' flow and loadings for the 2013 peak week which were obtained from the following sources:

- WEST VALLEY SANITATION DISTRICT - Wastewater Flow Report dated 8/20/13, submitted by the District.
- CUPERTINO SANITARY DISTRICT - Metered Flow Reports.
- CITY OF MILPITAS - Metered Flow Reports.
- COUNTY SANITATION DISTRICT 2-3 - 2013-2014 Revenue Program.
- BURBANK SANITARY DISTRICT - 2013-2014 Revenue Program.
- CITY of SAN JOSE and CITY of SANTA CLARA - The 2013 Peak Week flow and loadings remaining after subtracting the other agencies' reported flows and loadings are attributed to San Jose and Santa Clara as joint owners of the facilities. These were allocated, in accordance with the 1959 Agreement, to the two cities based on current assessed valuation ratios of 82.223% for San Jose and 17.777% for Santa Clara.

2013 AVAILABLE CAPACITY

The Agencies' peak week flows and loadings were subtracted from their capacities in the 167 MGD plant to obtain their 2013 available capacities.

TABLE I

CITY OF SAN JOSE

ENVIRONMENTAL SERVICES DEPARTMENT

SAN JOSE/SANTA CLARA WATER POLLUTION PLANT

TRIBUTARY AGENCIES' AVAILABLE PLANT CAPACITY - 2013

FLOW

Agency			2013 Plant Capacity MGD	2013 Peak Week Flow MGD	Available Capacity MGD
San Jose		82.223%	108.056	71.782	36.274
Santa Clara		17.777%	23.362	15.520	7.842
Subtotal		100.000%	131.418	87.302	44.116
West Valley Sanitation District	(1) (3)		12.052	9.941	2.111
Cupertino Sanitary District	(4)		7.850	4.369	3.481
City of Milpitas	(3) (4)		14.250	7.306	6.944
County Sanitation District 2-3	(2)		1.030	1.030	0.000
Burbank Sanitary District			0.400	0.292	0.108
Subtotal			35.582	22.938	12.644
Total			167.000	110.240	56.760

(1) Reflects transfer of capacity from West Valley Sanitation District to San Jose/Santa Clara resulting from annexations as of June 2013.

(2) In January 1985, County Sanitation District 2-3 entered into an agreement with the Cities of San Jose and Santa Clara, as joint owners of the plant, electing not to participate in a fixed capacity. Capacity is determined annually in accordance with the methods and restrictions prescribed in the agreement.

(3) Reflects transfer of capacity from West Valley Sanitation District to Milpitas in July 2006.

(4) Reflects transfer of capacity from Cupertino to Milpitas in January 2009.

TABLE II

CITY OF SAN JOSE

ENVIRONMENTAL SERVICES DEPARTMENT

SAN JOSE/SANTA CLARA WATER POLLUTION PLANT

TRIBUTARY AGENCIES' AVAILABLE PLANT CAPACITY - 2013

BOD

Agency		2013 Plant Capacity KLBS/D	2013 Peak Week Flow KLBS/D	Available Capacity KLBS/D
San Jose	82.223%	382.431	174.864	207.567
Santa Clara	17.777%	82.683	37.807	44.876
Subtotal	100.000%	465.114	212.671	252.443
West Valley Sanitation District (1) (3)		29.283	21.690	7.593
Cupertino Sanitary District (4)		16.419	11.007	5.412
City of Milpitas (3) (4)		27.249	17.294	9.955
County Sanitation District 2-3 (2)		2.120	2.120	.000
Burbank Sanitary District		.815	.598	.217
Subtotal		75.886	52.709	23.177
Total		541.000	265.380	275.620

(1) Reflects transfer of capacity from West Valley Sanitation District to San Jose/Santa Clara resulting from annexations as of June 2013.

(2) In January 1985, County Sanitation District 2-3 entered into an agreement with the Cities of San Jose and Santa Clara, as joint owners of the plant, electing not to participate in a fixed capacity. Capacity is determined annually in accordance with the methods and restrictions prescribed in the agreement.

(3) Reflects transfer of capacity from West Valley Sanitation District to Milpitas in July 2006.

(4) Reflects transfer of capacity from Cupertino to Milpitas in January 2009.

TABLE III

CITY OF SAN JOSE

ENVIRONMENTAL SERVICES DEPARTMENT

SAN JOSE/SANTA CLARA WATER POLLUTION PLANT

TRIBUTARY AGENCIES' AVAILABLE PLANT CAPACITY - 2013

SUSPENDED SOLIDS

Agency			2013 Plant Capacity KLBS/D	2013 Peak Week Flow KLBS/D	Available Capacity KLBS/D
San Jose		82.223%	339.542	179.322	160.220
Santa Clara		17.777%	73.410	38.770	34.640
Subtotal		100.000%	412.952	218.092	194.860
West Valley Sanitation District	(1) (3)		27.812	18.851	8.961
Cupertino Sanitary District	(4)		16.299	8.789	7.510
City of Milpitas	(3) (4)		25.990	12.375	13.615
County Sanitation District 2-3	(2)		2.094	2.094	.000
Burbank Sanitary District			.853	.589	.264
Subtotal			73.048	42.698	30.350
Total			486.000	260.790	225.210

(1) Reflects transfer of capacity from West Valley Sanitation District to San Jose/Santa Clara resulting from annexations as of June 2013.

(2) In January 1985, County Sanitation District 2-3 entered into an agreement with the Cities of San Jose and Santa Clara, as joint owners of the plant, electing not to participate in a fixed capacity. Capacity is determined annually in accordance with the methods and restrictions prescribed in the agreement.

(3) Reflects transfer of capacity from West Valley Sanitation District to Milpitas in July 2006.

(4) Reflects transfer of capacity from Cupertino to Milpitas in January 2009.

TABLE IV

CITY OF SAN JOSE

ENVIRONMENTAL SERVICES DEPARTMENT

SAN JOSE/SANTA CLARA WATER POLLUTION PLANT

TRIBUTARY AGENCIES' AVAILABLE PLANT CAPACITY - 2013

AMMONIA

Agency			2013 Plant Capacity KLBS/D	2013 Peak Week Flow KLBS/D	Available Capacity KLBS/D
San Jose		82.223%	33.691	19.526	14.165
Santa Clara		17.777%	7.284	4.222	3.062
Subtotal		100.000%	40.975	23.748	17.227
West Valley Sanitation District	(1) (3)		2.914	2.440	.474
Cupertino Sanitary District	(4)		2.287	1.044	1.243
City of Milpitas	(3) (4)		2.847	1.536	1.311
County Sanitation District 2-3	(2)		.280	.280	.000
Burbank Sanitary District			.297	.082	.215
Subtotal			8.625	5.382	3.243
Total			49.600	29.130	20.470

(1) Reflects transfer of capacity from West Valley Sanitation District to San Jose/Santa Clara resulting from annexations as of June 2013.

(2) In January 1985, County Sanitation District 2-3 entered into an agreement with the Cities of San Jose and Santa Clara, as joint owners of the plant, electing not to participate in a fixed capacity. Capacity is determined annually in accordance with the methods and restrictions prescribed in the agreement.

(3) Reflects transfer of capacity from West Valley Sanitation District to Milpitas in July 2006.

(4) Reflects transfer of capacity from Cupertino to Milpitas in January 2009.